

In the United States District Court of Delaware

Harry Samuel

v

Civ. No. 05-037-SLR

Thomas Carroll (warden)
et alPlaintiff response to Defendant response on Plaintiff
Default MOTION

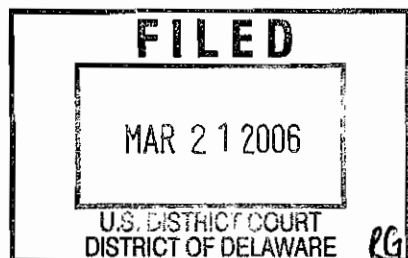
Plaintiff Submit to the U.S. District Court that the Defendant had a Court ordered Deadline to meet. However the Defendant did not meet the Court ordered Deadline because [the Defendant] the Defendant made a inadvertent mistake.

Plaintiff Submit that the Defendant statement inadvertent mistake is a understatement. The Defendant shows ~~the~~ disregard for the Court ordered Deadline by Placing the Plaintiff Pending Case in the Defendant resolved Case file. Although the U.S. District Court did not resolve the Case. If these Court as a mistake. The Defendant goes on to further diminish the Defendant lack of regard for the Court order Deadline by not acknowledging the Court order, Deadline or its importance by not thinking about or Placing the Court Order, Deadline on Defendants Personal Calender of Case to be resolve and Deadline to meet. Defendant go on further and indicate that outside of a mistake the Defendant states the Defendant had other Pressing litigation than to meet the Deadline. The Plaintiff submit that the Statement other litigation is flawed because the Defendant neglected Knowledge of the Case and the Deadline and was not reminded of Plaintiff lawsuit until Pass the timelimitation when Defendant entered appearance. The Plaintiff Submit that the Defendant at no Point ask the U.S. District Court for a extention of time to meet the Court ordered Deadline.

Conclusion

Plaintiff Submit that the Judgement is in the Court's discretion not the Defendant. The Defendant response has no merit and not to prejudice the Plaintiff and for the Defendant neglect and disregard for the U.S. District Court order and rules. The Plaintiff ask the U.S. District Court to enter a Judgement of Default.

Date



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Respectfully Submitted
Very Truly yours
Harry L. Samuel
Pro Se

Certificate of Service

I, Harry Samuel, hereby certify that I have served a true and correct cop(ies) of the attached: Plaintiff response to Defendant response, on plaintiff Default MOTION upon the following parties/person (s): opposing Counsel

TO: TO. Ophelia M. Waters
Deputy attorney General
Carvel State office Building
820 North French Street 6th floor
Wilmington, Delaware
19801

TO: _____

TO: _____

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977.

On this 18th day of March, 2006

Harry L. Samuel
Pro Se

